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Date October 4, 2005  
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Name	Location	Phone	Fax
Mail Stop Amendment Commissioner for Patents — Alexandria VA			571-273-8300

## FROM

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Name	T. Gregory Peterson	Number of Pages	8
Phone	(205) 521-8084	Includes cover page. If you do not receive all pages, please call (205) 521-8286 as soon as possible.	
E-Mail	gpeterson@bradleyarant.com		
Fax	(205) 488-6084		

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T. Gregory Peterson, Ph.D., J.D.

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October 4, 2005

VIA FACSIMILE ONLY  
Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Application No.: 10/749,391  
Applicant: West, R. Gary  
Filed: 01/02/2004  
Examiner: CROW, Stephen R.  
Art Unit: 3764

Dear Sir:

Please find enclosed herewith the following:

1. Response to Notice of Non-Compliant Amendment; and
2. Transmittal Form.

If you need any additional information, please do not hesitate to contact me.

Sincerely,

T. Gregory Peterson, Ph.D., J.D.

TGP/tgp  
Enclosures

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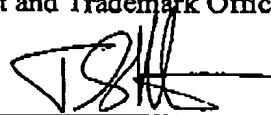
Mail Stop Amendment  
October 4, 2005  
Page 2**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that the following items are enclosed:

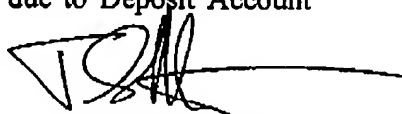
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|----|------------------------------------|----------------|
| 1. | Cover Letter (including this page) | <u>2</u> pages |
| 2. | Transmittal Form                   | <u>1</u> page  |
| 3. | Response to Office Action          | <u>4</u> pages |

Total 3 Documents 7 pages

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Date: 10-4-05T. Gregory Peterson  
Registration No. 45,587**AUTHORIZATION TO CHARGE  
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The Commissioner is authorized to pay any charges, fees, or sums due in connection with this correspondence, I hereby authorize the Commissioner of Patents and Trademarks to charge all such remaining fees, charges, and other sums due to Deposit Account Number 50-0954.

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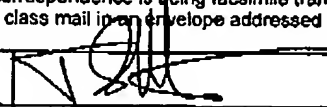
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10749,391
	Filing Date	01/02/2004
	First Named Inventor	West, Gary
	Art Unit	3764
	Examiner Name	Crow, Stephen R.
	Attorney Docket Number	P3892US05TGP
Total Number of Pages in This Submission		7

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Bradley, Arant, Rose & White		
Signature			
Printed name	T. Gregory Peterson		
Date	10/4/2005	Reg. No.	45,587

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	T. Gregory Peterson	Date	10/4/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** West, Gary

**Serial No.:** 10/749,391

**Filed:** 01-02-2004

**Art Unit:** 3764

**Examiner:** CROW, Stephen R.

**Title:** Powered Gait Orthosis and Method of Utilizing the Same

**AMENDMENT**

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Sir:

This is in response to the Notice of Non-Compliant Amendment mailed 9-28-2005.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper. No other section of the response filed 9-22-05 is reproduced herein.